

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SALLY DINIUS,

Plaintiff,

v.

WALMART STORES, INC.,

Defendant.

No. 2:20-CV-1143-BJR

ORDER GRANTING IN PART AND  
DENYING IN PART MOTION TO  
CONTINUE PRETRIAL DEADLINES

Before the Court is an agreed motion by the parties that seeks to continue pretrial deadlines. Dkt. No. 11. Having reviewed the motion and the record in this case, the Court GRANTS IN PART and DENIES IN PART the motion for the reasons below.

Plaintiff filed her complaint in state court on April 16, 2020, alleging she was injured when a large bottle of juice at a Walmart store fell from a shelf onto her neck and shoulder area. Defendant removed the case to this Court on July 24, 2020. In a joint status report filed in November 2020, the parties indicated that this case is not complex. The Court set a trial date of October 18, 2021, as well as a number of pretrial deadlines.

In this motion, the parties have proposed extending pretrial deadlines as follows:

- **Expert reports deadline:** Extend from March 22, 2021, to June 28, 2021.
- **Discovery deadline:** Extend from April 21, 2021, to July 28, 2021.
- **Dispositive motions deadline:** Extend from May 21, 2021, until August 27, 2021.

The parties have not proposed changing the trial date of October 18, 2021.


The parties' request to extend the filing deadline for dispositive motions to August 27, 2021, is not feasible. Such an extension would mean that dispositive motions may not be fully briefed until October 1, 2021, leaving little time for the Court to consider and rule upon such motions before the trial date of October 18, 2021.

The parties also have not shown good cause for the length of the proposed extensions. The parties assert that: (1) their "initial exchange of written discovery was disturbed and/or delayed as a result of issues surrounding service and reasonable disputes between the parties regarding the permissible scope of discovery and other legal matters related to discovery," and (2) counsel for both parties "have busy trial calendars with other matters in active litigation and myriad conflicting deadlines which have further complicated matters." However, such challenges are not unusual in litigation and do not warrant the parties' request to extend the current pretrial deadlines by more than three months, particularly in a case that is not complex.

Therefore, the Court declines to grant the extensions proposed by the parties. To accommodate the parties while leaving sufficient time for the Court to consider and rule upon dispositive motions well in advance of trial, the Court ORDERS that the pretrial deadlines below are extended by eight weeks:

Event	Current Deadline	New Deadline
Reports of expert witnesses under FRCP 26(a)(2) due	3/22/2021	5/17/2021
Discovery completed by	4/21/2021	6/16/21
All dispositive motions must be filed by	5/21/2021	7/16/2021

DATED this 23<sup>rd</sup> day of February, 2021.



Barbara Jacobs Rothstein  
U.S. District Court Judge